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Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1.   Claims 1-40 are presented for examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-6, 8-11, and 13-40 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Jones et al. (Jones, Patent No.: US 6,697,944 B1) in view of Bouet et al. (Bouet, Pub. No.:

US 2002/0065778 A1)

3.1   As per claim 1, Jones teaches a method for transferring electronic information (Jones Col.

3 lines 6-20), comprising:

receiving a command to transmit a portion of a file of electronic information (Jones Col.

4 lines 44-67, col. 13 lines 66- col. 14 lines 25, col. 8 lines 40-67; the user portable device

receives a query from the host and ID and digital signature information is transmitted from the

portable device); and

in response to the received command, automatically copying the portion of the file of

electronic information to create a copied file of electronic information (Jones Col. 8 lines 40-67;

digital content audio file is downloaded to user's PC after interrogation),

Jones does not explicitly teach transmitting the copied file, and rendering the portion of the file of electronic information unusable.

However Bouet teaches forwarding a copyright tag counter on a file structure (Bouet Fig. 8).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of Bouet with in the system of Jones because it would allow to track illegal recordings and protect copyrights. The maximum times that the sender terminal is authorized to send multimedia files to another terminal means that a limited number forwarding is recorded in the respective file, one possible way to implement this is to add-on to the multimedia file structure like a Forwarding Tag. (Bouet Page 6 par. 0055). Therefore it would have been obvious to transmit and render the portion of the file of electronic information unusable because the tag would inform the provider how many times the consumer made a copy.

3.2   As per claim 10, Jones teaches a method for providing a file of electronic information (Jones Col. 3 lines 6-20), comprising:

        providing a file of electronic information (Jones Fig. 7, Fig. 2 No. 60, Col. 3 lines 5-20);
        receiving a copy of a portion of the file of electronic information (Jones Col. 13 lines 66-col. 14 lines 25, col. 8 lines 40-67); and

receiving a certificate to certify (Jones Col. 15 lines 27-42; digital content provider

receives the digital signature from user or portable device)

Jones does not explicitly teach certifying the portion of the file of electronic information

has been rendered unusable.

However Bouet teaches certifying that the portion of the file of electronic information has

been rendered unusable by forwarding a tag with the file structure (Bouet Page 6 par. 0055), and

by comparing the certificate transferred from provider with the certificate stored in a user's

register (Bouet Page 2 par. 0019).

Therefore it would have been obvious to one having ordinary skill in the art at the time

the invention was made to employ the teachings of Bouet with in the system of Jones because it

would allow to track illegal recordings and certify digital data to protect copyrights. The

maximum times that the sender terminal is authorized to send multimedia files to another

terminal means that a limited number forwarding is recorded in the respective file, one possible

way to implement this is to add-on to the multimedia file structure like a Forwarding Tag. (Bouet

Page 6 par. 0055). Therefore it would have been obvious to receive a certificate certifying the

portion of the file of electronic information has been rendered unusable because it would insure

the provider or the owner that that the user did not do any extra copies.

3.3   As per claim 16, Jones teaches a medium storing processor-executable process steps to

transfer electronic information, the process steps comprising:

a step to receive a command to transmit a portion of a file of electronic

information (Jones Col. 4 lines 44-67, col. 13 lines 66- col. 14 lines 25, col. 8 lines 40-67; the

user portable device receives a query from the host and ID and digital signature information is

transmitted from the portable device); and

in response to the received command, steps to automatically copy the portion of the file

of electronic information to create a copied file of electronic information (Jones Col. 8 lines 40-

67; digital content audio file is downloaded to user's PC after interrogation),

Jones does not explicitly teach transmitting the copied file, and rendering the portion of

the file of electronic information unusable.

However Bouet teaches forwarding a copyright tag counter on a file structure (Bouet Fig.

8).

Therefore it would have been obvious to one having ordinary skill in the art at the time

the invention was made to employ the teachings of Bouet with in the system of Jones because it

would allow to track illegal recordings and protect copyrights. The maximum times that the

sender terminal is authorized to send multimedia files to another terminal means that a limited

number forwarding is recorded in the respective file, one possible way to implement this is to

add-on to the multimedia file structure like a Forwarding Tag. (Bouet Page 6 par. 0055).

Therefore it would have been obvious to transmit and render the portion of the file of electronic

information unusable because the tag would inform the provider how many times the consumer

made a copy.

3.4   As per claim 22, Jones teaches a medium storing procesor-executable process steps to

provide a file of electronic information (Jones Col. 4 lines 1-20, Col. 3 lines 6-20), the process

steps comprising:

        a step to provide a file of electronic information (Jones Fig. 7, Fig. 2 No. 60, Col. 3 lines

5-20);

        a step to receive a copy of a portion of the file of electronic information (Jones Col. 13

lines 66- col. 14 lines 25, col. 8 lines 40-67); and

        a step to receive a certificate (Jones Col. 15 lines 27-42; digital content provider receives

response to the digital signature from user or portable device)

Jones does not explicitly teach certifying the portion of the file of electronic information has

been rendered unusable.

        Jones does not explicitly teach certifying the portion of the file of electronic information

has been rendered unusable.

        However Bouet teaches certifying that the portion of the file of electronic information has

been rendered unusable by forwarding a tag with the file structure (Bouet Page 6 par. 0055), and

by comparing the certificate transferred from provider with the certificate stored in a user's

register (Bouet Page 2 par. 0019).

        Therefore it would have been obvious to one having ordinary skill in the art at the time

the invention was made to employ the teachings of Bouet with in the system of Jones because it

would allow to track illegal recordings and certify digital data to protect copyrights. The

maximum times that the sender terminal is authorized to send multimedia files to another

terminal means that a limited number forwarding is recorded in the respective file, one possible

way to implement this is to add-on to the multimedia file structure like a Forwarding Tag. (Bouet

Page 6 par. 0055). Therefore it would have been obvious to receive a certificate certifying the

portion of the file of electronic information has been rendered unusable because it would insure

the provider or the owner that that the user did not do any extra copies.

3.5   As per claim 24, Jones teaches an apparatus for transferring electronic information,

comprising:

       a processor (Jones col. 6 lines 32-51); and

       a storage device in communication with said processor and storing instructions adapted to

be executed by said processor to (Jones Col. 4 lines 1-20):

       receive a command to transmit a file of electronic information (Jones Col. 4 lines 44-67,

col. 13 lines 66- col. 14 lines 25, col. 8 lines 40-67; the user portable device receives a query

from the host and ID and digital signature information is transmitted from the portable device);

and

       in response to the received command, automatically copy a portion of the file of

electronic information to create a copied file of electronic information (Jones Col. 8 lines 40-67;

digital content audio file is downloaded to user's PC after interrogation),

       Jones does not explicitly teach transmitting the copied file, and rendering the portion of

the file of electronic information unusable.

However Bouet teaches forwarding a copyright tag counter on a file structure (Bouet Fig.
8).

Therefore it would have been obvious to one having ordinary skill in the art at the time
the invention was made to employ the teachings of Bouet with in the system of Jones because it
would allow to track illegal recordings and protect copyrights. The maximum times that the
sender terminal is authorized to send multimedia files to another terminal means that a limited
number forwarding is recorded in the respective file, one possible way to implement this is to
add-on to the multimedia file structure like a Forwarding Tag. (Bouet Page 6 par. 0055).
Therefore it would have been obvious to transmit and render the portion of the file of electronic
information unusable because the tag would inform the provider how many times the consumer
made a copy.

3.6   As per claim 30, Jones teaches an apparatus for providing a file of electronic information
(Jones Col. 3 lines 6-20; content provider host), comprising:

        a processor (Jones col. 6 lines 32-51); and

        a storage device in communication with said processor and storing instructions adapted to
be executed by said processor to (Jones Col. 4 lines 1-20):

        provide a file of electronic information (Jones Fig. 7, Fig. 2 No. 60, Col. 3 lines 5-20);

        receive a copy of a portion of the file of electronic information (Jones Col. 13 lines 66-
col. 14 lines 25, col. 8 lines 40-67); and

receive a certificate (Jones Col. 15 lines 27-42; digital content provider receives the digital signature from user or portable device)

Jones does not explicitly teach certifying the portion of the file of electronic information has been rendered unusable.

However Bouet teaches certifying that the portion of the file of electronic information has been rendered unusable by forwarding a tag with the file structure (Bouet Page 6 par. 0055), and by comparing the certificate transferred from provider with the certificate stored in a user's register (Bouet Page 2 par. 0019).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of Bouet with in the system of Jones because it would allow to track illegal recordings and certify digital data and also protect copyrights. The maximum times that the sender terminal is authorized to send multimedia files to another terminal means that a limited number forwarding is recorded in the respective file, one possible way to implement this is to add-on to the multimedia file structure like a Forwarding Tag. (Bouet Page 6 par. 0055). Therefore it would have been obvious to receive a certificate certifying the portion of the file of electronic information has been rendered unusable because it would insure the provider or the owner that that the user did not do any extra copies.

3.7   As per claim 32, Jones teaches a system for transferring electronic information (Jones Col. 3 lines 6-20), comprising:

a subscription device (Jones Col. 3 lines 6-20; content provider host) comprising:

    a first processor (Jones col. 6 lines 32-51); and

a first storage device in communication with the first processor and storing instructions
adapted to be executed by the first processor to (Jones Col. 4 lines 1-20):

transmit a file of electronic information according to a subscription (Jones Col. 8 lines
40-67; content provider's server downloads the audio file to user personal computer according to
the subscription); and

receive a certificate (Jones Col. 15 lines 27-42; digital content provider receives the
digital signature from user or portable device)

a consumer device (Jones Fig. 2 No. 64) comprising:

a second processor (Jones col. 6 lines 32-51); and

a second storage device in communication with the second processor and storing
instructions adapted to be executed by the second processor to (Jones Col. 3 lines 6-20):

receive the file of electronic information (Jones Col. 13 lines 66- col. 14 lines 25, col. 8
lines 40-67);

receive a command to transmit a portion of the file of electronic information (Jones Col.
4 lines 44-67, col. 13 lines 66- col. 14 lines 25, col. 8 lines 40-67; the user portable device
receives a query from the host and ID and digital signature information is transmitted from the
portable device);

determine whether the portion of the file of electronic information should be
automatically copied (Jones Col. 8 lines 40-67; digital content provider's server determines to
download audio data by interrogating user's PC),

automatically copy the portion of the file of electronic information to create a copied file

of electronic information (Jones Col. 8 lines 40-67; digital content audio file is downloaded to

user's PC after interrogation); and

transmit the certificate to the subscription device (Jones Col. 15 lines 27-42; user's device

sends certificate to service provider host).

transmit the copied file; (Jones Fig. 7, Col. 5 lines 46-59)

Jones does not explicitly teach certifying the portion of the file of electronic information

has been rendered unusable;

determine whether the portion of the file of electronic information should be rendered;

and

render the portion of the file of electronic information unusable;

However Bouet teaches certifying that the portion of the file of electronic information has

been rendered unusable by forwarding a tag with the file structure (Bouet Page 6 par. 0055), and

by comparing the certificate transferred from provider with the certificate stored in a user's

register (Bouet Page 2 par. 0019);

determine whether the portion of the file of electronic information should be rendered

unusable (Bouet Page 6 par. 0055); and

render the portion of the file of electronic information unusable (Bouet Page 6 par. 0055);

Therefore it would have been obvious to one having ordinary skill in the art at the time

the invention was made to employ the teachings of Bouet with in the system of Jones because it

would allow to track illegal recordings and certify digital data and also protect copyrights. The

maximum times that the sender terminal is authorized to send multimedia files to another

terminal means that a limited number forwarding is recorded in the respective file, one possible

way to implement this is to add-on to the multimedia file structure like a Forwarding Tag. (Bouet

Page 6 par. 0055). Therefore it would have been obvious to receive a certificate certifying the

portion of the file of electronic information has been rendered unusable, and to determine

whether the portion of the file of electronic information should be rendered unusable because it

would insure the provider or the owner that that the user did not do any extra copies.

3.8   As per claim 2, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, comprising:

        determining whether the portion of the file of electronic information should be

automatically copied (Jones Col. 8 lines 40-67; digital content provider's server determines to

download audio data by interrogating user's PC).

        determining whether the portion of the file of electronic information should be rendered

unusable (Bouet Page 6 par. 0055) The rational for combining are the same as claim 32 above.

3.9   As per claim 3, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, wherein the determining step is based on an electronic tag

associated with the portion of the file of electronic information (Jones Fig. 6 No. 116).

3.10   As per claim 4, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, further comprising:

transmitting a certificate (Jones Col. 15 lines 27-42; user's device sends certificate to

service provider host)

determining that the portion of the file of electronic information has been rendered

unusable (Bouet Page 6 par. 0055) The rational for combining are the same as claim 32 above;

certifying that the portion of the file of electronic information has been rendered unusable

(Bouet Page 6 par. 0055) The rational for combining are the same as claim 10 above.

3.11   As per claim 5, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, wherein the file is received from an entity (Jones Col. 3 lines

6-20; content provider host), and wherein the certificate is transmitted to the entity (Jones Col.

15 lines 27-42; user's device sends certificate to service provider host).

3.12   As per claim 6, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, wherein the certificate is transmitted to an owner of a

copyright in the file of electronic information (Bouet Page 6 par. 0055).

3.13   As per claim 8, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, wherein the electronic information comprises at least one of an image, text, multimedia, a movie, audio, music, software, news, weather, sports news, and data (Jones Col. 3 lines 21-65).

3.14   As per claim 9, Jones and Bouet teach all the subject matter as described above. In addition, Jones teaches a method, wherein the step of automatically copying comprises at least one of creating an electronic mail message, copying to electronic storage, copying to magnetic storage, and copying to optical storage (Jones Col. 6 lines 53-col. 7 lines 4).

3.15   As per claim 11, Jones and Bouet teach all the subject matter as described above. In addition, Jones teaches a method, wherein the file is provided to a consumer in fulfillment of a subscription (Jones Col. 8 lines 40-67).

3.16   As per claim 13, Jones and Bouet teach all the subject matter as described above. In addition, Jones teaches a method, further comprising providing the certificate to an owner of a copyright in the portion of the file of electronic information (Bouet Page 6 par. 0055).

3.17   As per claim 14, Jones and Bouet teach all the subject matter as described above. In addition, Jones teaches a method, wherein the file of information comprises a tag (Jones Fig. 7 No. 116)

tag indicating that the portion of the file should be rendered unusable if the portion of the

file is copied (Bouet Page 6 par. 0055) The rational for combining are the same as claim 10

above.

3.18   As per claim 15, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, wherein the electronic information comprises at least one of an

image, text, multimedia, a movie, audio, music, software, news, weather, sports news, and data

(Jones Col. 3 lines 21-65).

3.19   As per claim 17, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a medium, the process steps comprising:

        a step to determine whether the portion of the file of electronic information should be

automatically copied and rendered unusable (Jones Col. 8 lines 40-67; digital content provider's

server determines to download audio data by interrogating user's PC).

        a step to determine whether the portion of the file of electronic information should be

rendered unusable (Bouet Page 6 par. 0055) The rational for combining are the same as claim 32

above.

3.20   As per claim 18, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a medium, wherein the determining step is based on an electronic tag

associated with the portion of the file of electronic information (Jones Fig. 6 No. 116).

3.21   As per claim 19, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a medium, the process steps further comprising:

a step to transmit a certificate (Jones Col. 15 lines 27-42; user's device sends certificate

to service provider host)

a step to determine that the portion of the file of electronic information has been rendered

unusable (Bouet Page 6 par. 0055) The rational for combining are the same as claim 32 above;

and

certifying that the portion of the file of electronic information has been rendered unusable

(Bouet Page 6 par. 0055) The rational for combining are the same as claim 10 above.

3.22   As per claim 20, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a medium, wherein the file is received from an entity (Jones Col. 3 lines

6-20; content provider host), and wherein the certificate is transmitted to the entity (Jones Col.

15 lines 27-42; user's device sends certificate to service provider host).

3.23   As per claim 21, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a medium, wherein the certificate is transmitted to an owner of a

copyright in the portion of the file of electronic information (Bouet Page 6 par. 0055).

3.24   As per claim 23, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a medium, wherein the file of information comprises a tag (Jones Fig. 7

No. 116)

tag indicating that the portion of the file should be rendered unusable if the portion of the file is copied (Bouet Page 6 par. 0055) The rational for combining are the same as claim 10 above.

3.25   As per claim 25, Jones and Bouet teach all the subject matter as described above. In addition, Jones teaches an apparatus, the storage device further storing instructions adapted to be executed by said processor to:

determine whether the portion of the file of electronic information should be automatically copied (Jones Col. 8 lines 40-67; digital content provider's server determines to download audio data by interrogating user's PC).

determining whether the portion of the file of electronic information should be rendered unusable (Bouet page 6 par. 0055) The rational for combining are the same as claim 32 above.

3.26   As per claim 26, Jones and Bouet teach all the subject matter as described above. In addition, Jones teaches an apparatus, wherein the determining step is based on an electronic tag associated with the portion of the file of electronic information (Jones Fig. 6 No. 116).

3.27   As per claim 27, Jones and Bouet teach all the subject matter as described above. In addition, Jones teaches an apparatus, the storage device further storing instructions adapted to be executed by said processor to:

transmit a certificate (Jones Col. 15 lines 27-42; user's device sends certificate to service provider host)

determining that the portion of the file of electronic information has been rendered

unusable (Bouet Page 6 par. 0055) The rational for combining are the same as claim 32 above;

certifying that the portion of the file of electronic information has been rendered unusable

(Bouet Page 6 par. 0055) The rational for combining are the same as claim 10 above.

3.28   As per claim 28, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches an apparatus, wherein the file is received from an entity (Jones Col. 3

lines 6-20; content provider host), and wherein the certificate is transmitted to the entity (Jones

Col. 15 lines 27-42; user's device sends certificate to service provider host).

3.29   As per claim 29, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches an apparatus, wherein the certificate is transmitted to an owner of a

copyright in the portion of the file of electronic information (Bouet Page 6 par. 0055).

3.30   As per claim 31, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches an apparatus, wherein the file of information comprises a tag (Jones Fig.

7 No. 116)

tag indicating that the portion of the file should be rendered unusable if the portion of the

file is copied (Bouet Page 6 par. 0055) The rational for combining are the same as claim 10

above.

3.31   As per claim 33, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a system, wherein the copied file is transmitted to the subscription device

(Jones Fig. 7 col. 5 lines 46-59).

3.32   As per claim 34, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, wherein the portion of the file of electronic information is the

entire file of electronic information (Jones Fig. 7 No. 118).

3.33   As per claim 35, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, wherein the portion of the file of electronic information is the

entire file of electronic information (Jones Fig. 7 No. 118).

3.34   As per claim 36, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a medium, wherein the portion of the file of electronic information is the

entire file of electronic information (Jones Fig. 7 No. 118).

3.35   As per claim 37, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a medium, wherein the portion of the file of electronic information is the

entire file of electronic information (Jones Fig. 7 No. 118).

3.36   As per claim 38, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches an apparatus, wherein the portion of the file of electronic information is

the entire file of electronic information (Jones Fig. 7 No. 118).

3.37   As per claim 39, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches an apparatus, wherein the portion of the file of electronic information is

the entire file of electronic information (Jones Fig. 7 No. 118).

3.48   As per claim 40, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a system, wherein the portion of the file of electronic information is the

entire file of electronic information (Jones Fig. 7 No. 118).

4.   Claims 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et

al. (Jones, Patent No.: US 6,697,944 B1) in view of Bouet et al. (Bouet, Pub. No.: US

2002/0065778 A1), and in further view of Ananda (Patent No.: US 6,671,813 B2)

4.1   As per claim 7, Jones and Bouet teach all the subject matter as described above.

        Jones and Bouet do not explicitly teach erasing the portion of the file of electronic

information.

        However Ananda teaches a method of erasing the portion of the file of electronic

information after coping a file (Ananda Col. 2 lines 1-24),

        Therefore it would have been obvious to one having ordinary skill in the art at the time

the invention was made to employ the teachings of Ananda with in the combination system of

Jones and Bouet because it would allow to protect unauthorized users to make extra copies or it

would enhance copy protection security (Ananda Col. 2 lines 1-24). Therefore it would have

been obvious to apply the teachings of Ananda with in the system to erase the portion of

electronic information because it prevents the consumer from making extra copies.

4.2   As per claim 12, Jones and Bouet teach all the subject matter as described above. In

addition, Jones teaches a method, wherein the portion of the file of electronic information is

erased in order to render the file unusable (Ananda Col. 2 lines 1-24) The rational for combining

are the same as claim 7 above.

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Eleni A Shiferaw whose telephone number is 703-305-0326. The

examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

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